

**Amendment No. 2 to HB2811**

**DuBois  
Signature of Sponsor**

**AMEND Senate Bill No. 3029**

**House Bill No. 2811\***

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting the amendatory language of Section 1, as amended, in its entirety, and by substituting instead the following:

( )

(A) Using any advertisement for a workshop, seminar, conference, or other meeting that contains a reference to a living trust or a revocable living trust, or that otherwise offers advice or counsel on estate taxation unless such advertisement also includes the information required in this subsection.

(B) An advertisement as provided in this subsection shall, at a minimum, include the following:

(i) The amount excluded by federal and state law from the net taxable estate of the decedent for the year in which the advertisement appears;

(ii) Includes a statement that certain property, including real property, insurance proceeds, deposit accounts, stocks and retirement fund, may be taxable or not taxable, depending on how legal title is held and/or beneficiary designation are made;

(iii) Includes a statement that certain property may be transferred through several different means including, but not limited to, joint ownership of property with rights of survivorship, joint deposit accounts, beneficiary designations or elections permitted under retirement plans, insurance policies, trusts, or wills; and

(iv) A statement that before creating any transfer through a living trust, revocable living trust, or otherwise, the individual should seek advice from an attorney, accountant or other tax professional to determine the true tax impact and ensure that assets are properly transferred into any trust.

(C) The disclosure required in this subsection shall be printed in not less than 10-point type.

(D) The provisions of this subsection shall not apply to an advertisement by any attorney, law firm, bank, savings institution, trust company, or registered securities broker/dealer which is directed to clients or customers of such person with whom such person has had a client or customer relationship within the prior two (2) years. The provisions of this subsection shall also not apply to any continuing education seminars or conferences conducted for the benefit of bankers, attorneys, accountants, or other professional financial advisors.